

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

PAMELA JO BOUND A.K.A. PAMELA JO  
BROWN  
1715 Sunflower Ave. #2  
Glendora, CA 91740  
Registered Nurse License No. 455694

Respondent.

Case No. 2007-29

OAH No. 2007120538

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on May 14, 2008.

It is so ORDERED May 14, 2008.

*LaTranene W Tate*

\_\_\_\_\_  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 GLORIA A. BARRIOS  
Supervising Deputy Attorney General  
3 MICHAEL BROWN, State Bar No. 231237  
Deputy Attorney General  
4 300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
5 Telephone: (213) 897-2095  
Facsimile: (213) 897-2804  
6

7 Attorneys for Complainant

8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2007-29

11 PAMELA JO BOUND A.K.A. PAMELA JO  
BROWN  
12 1715 Sunflower Ave. #2  
Glendora, CA 91740  
13 Registered Nurse License No. 455694

OAH No. 2007120538

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

14 Respondent.  
15

16  
17 In the interest of a prompt and speedy resolution of this matter, consistent with the  
18 public interest and the responsibility of the Board of Registered Nursing of the Department of  
19 Consumer Affairs the parties hereby agree to the following Stipulated Surrender of License and  
20 Order which will be submitted to the Board for approval and adoption as the final disposition of  
21 the Accusation.

22 **PARTIES**

23 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
24 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
25 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
26 by Michael Brown, Deputy Attorney General.

27 2. Pamela Jo Bound a.k.a. Pamela Jo Brown (Respondent) is representing  
28 herself in this proceeding and has chosen not to exercise her right to be represented by counsel.

1                   3.       On or about January 31, 1992, the Board of Registered Nursing issued  
2 Registered Nurse License No. 455694 to Pamela Jo Bound a.k.a. Pamela Jo Brown  
3 (Respondent). The License was in full force and effect at all times relevant to the charges  
4 brought in Accusation No. 2007-29 and expired on March 31, 2005.

5   **JURISDICTION**

6                   4.       Accusation No. 2007-29 was filed before the Board of Registered Nursing  
7 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The  
8 Accusation and all other statutorily required documents were properly served on Respondent on  
9 November 19, 2007. Respondent timely filed her Notice of Defense contesting the Accusation.  
10 A copy of Accusation No. 2007-29 is attached as exhibit A and incorporated herein by reference.

11   **ADVISEMENT AND WAIVERS**

12                   5.       Respondent has carefully read, and understands the charges and allegations  
13 in Accusation No. 2007-29. Respondent also has carefully read, and understands the effects of  
14 this Stipulated Surrender of License and Order.

15                   6.       Respondent is fully aware of her legal rights in this matter, including the  
16 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
17 counsel, at her own expense; the right to confront and cross-examine the witnesses against her;  
18 the right to present evidence and to testify on her own behalf; the right to the issuance of  
19 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
20 reconsideration and court review of an adverse decision; and all other rights accorded by the  
21 California Administrative Procedure Act and other applicable laws.

22                   7.       Respondent voluntarily, knowingly, and intelligently waives and gives up  
23 each and every right set forth above.

24   **CULPABILITY**

25                   8.       Respondent admits the truth of each and every charge and allegation in  
26 Accusation No. 2007-29, agrees that cause exists for discipline and hereby surrenders her  
27 Registered Nurse License No. 455694 for the Board's formal acceptance.

28                   9.       Respondent understands that by signing this stipulation she enables the

1 Board to issue an order accepting the surrender of her Registered Nurse License without further  
2 process.

3 **CONTINGENCY**

4 10. This stipulation shall be subject to approval by the Board of Registered  
5 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the  
6 Board of Registered Nursing may communicate directly with the Board regarding this stipulation  
7 and surrender, without notice to or participation by Respondent. By signing the stipulation,  
8 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
9 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
10 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall  
11 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
12 between the parties, and the Board shall not be disqualified from further action by having  
13 considered this matter.

14 11. The parties understand and agree that facsimile copies of this Stipulated  
15 Surrender of License and Order, including facsimile signatures thereto, shall have the same force  
16 and effect as the originals.

17 12. In consideration of the foregoing admissions and stipulations, the parties  
18 agree that the (Board) may, without further notice or formal proceeding, issue and enter the  
19 following Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Registered Nurse License No. 455694, issued to  
22 Respondent Pamela Jo Bound a.k.a. Pamela Jo Brown is surrendered and accepted by the Board  
23 of Registered Nursing.

24 13. The surrender of Respondent's Registered Nurse License and the  
25 acceptance of the surrendered license by the Board shall constitute the imposition of discipline  
26 against Respondent. This stipulation constitutes a record of the discipline and shall become a  
27 part of Respondent's license history with the Board.

28 14. Respondent shall lose all rights and privileges as a Registered Nurse in

1 California as of the effective date of the Board's Decision and Order.

2 15. Respondent shall cause to be delivered to the Board both her wall and  
3 pocket license certificate on or before the effective date of the Decision and Order.

4 16. Respondent fully understands and agrees that if she ever files an  
5 application for licensure or a petition for reinstatement in the State of California, the Board shall  
6 treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations  
7 and procedures for reinstatement of a revoked license in effect at the time the petition is filed,  
8 and all of the charges and allegations contained in Accusation No. 2007-29 shall be deemed to be  
9 true, correct and admitted by Respondent when the Board determines whether to grant or deny  
10 the petition.

11 17. Upon reinstatement of the license, Respondent shall pay to the Board costs  
12 associated with its investigation and enforcement pursuant to Business and Professions Code  
13 section 125.3 in the amount of Six Thousand Five Hundred Thirteen Dollars and Fifty Cents  
14 (\$6,513.50). Respondent shall be permitted to pay these costs in a payment plan approved by the  
15 Board.

16 18. Should Respondent ever apply or reapply for a new license or certification,  
17 or petition for reinstatement of a license, by any other health care licensing agency in the State of  
18 California, all of the charges and allegations contained in Accusation, No. 2007-29 shall be  
19 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
20 Issues or any other proceeding seeking to deny or restrict licensure.

21 19. Respondent shall not apply for licensure or petition for reinstatement for  
22 two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

23 20. Respondent shall pay the Board its costs of investigation and enforcement  
24 in the amount of \$6,513.50 on the effective date of the Board's Decision and Order.

25 21. Should Respondent ever apply or reapply for a new license or certification,  
26 or petition for reinstatement of a license, Respondent, at her expense, shall submit proof of her  
27 participation in a counseling program and only upon the recommendation of the counselor.

28 ///

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P.28

**ACCEPTANCE**

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: Mar, 4, 2008

  
Pamela Jo Bound a.k.a. Pamela Jo Brown (Respondent)  
Respondent

RN #455694

**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: \_\_\_\_\_

EDMUND G. BROWN JR., Attorney General  
of the State of California

GLORIA A. BARRIOS  
Supervising Deputy Attorney General

\_\_\_\_\_  
MICHAEL BROWN  
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2006600371  
Surrender.wpd

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**ACCEPTANCE**

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: \_\_\_\_\_.

\_\_\_\_\_  
Pamela Jo Bound a.k.a. Pamela Jo Brown (Respondent)  
Respondent

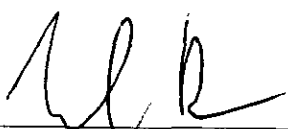
**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: 3/4/2008

\_\_\_\_\_  
EDMUND G. BROWN JR., Attorney General  
of the State of California

\_\_\_\_\_  
GLORIA A. BARRIOS  
Supervising Deputy Attorney General

  
\_\_\_\_\_  
MICHAEL BROWN  
Deputy Attorney General

Attorneys for Complainant

1 BILL LOCKYER, Attorney General  
of the State of California  
2 GLORIA A. BARRIOS, State Bar No. 94811  
Deputy Attorney General  
3 California Department of Justice  
300 So. Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 897-2540  
5 Facsimile: (213) 897-2804  
6 Attorneys for Complainant

7  
8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2007-29

13 PAMELA JO BOUND  
a.k.a. PAMELA JO BROWN  
14 1407 S. Bradley Ct.  
Glendora, CA 91740

**A C C U S A T I O N**

15 Registered Nurse License No. 455694

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation  
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,  
21 Department of Consumer Affairs (Board).

22 2. On or about January 31, 1992, the Board issued Registered Nurse License  
23 No. 455694 to Pamela Jo Bound a.k.a. Pamela Jo Brown (Respondent). The Registered Nurse  
24 License was in full force and effect at all times relevant to the charges brought herein and expired  
25 on March 31, 2005.

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28 ///



## JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All Section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

6. Section 2761 states:

“The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

“(a) Unprofessional conduct, . . .

“(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof. . . .”

7. Section 490 states:

“A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order

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1 granting probation is made suspending the imposition of sentence, irrespective of a subsequent  
2 order under the provisions of Section 1203.4 of the Penal Code.”

3 8. Section 125.3 provides, in pertinent part, that the Board may request the  
4 administrative law judge to direct a licensee found to have committed a violation or violations  
5 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
6 enforcement of the case.

7 **FIRST CAUSE FOR DISCIPLINE**

8 (Conviction of Substantially Related Crime)

9 9. Respondent is subject to disciplinary action under Section 2570, 2761,  
10 subdivision (f), and 490, on the grounds that Respondent was convicted of crimes substantially  
11 related to the qualifications, functions, or duties of a registered nurse. Respondent committed the  
12 crimes while her children were present. The circumstances are as follows:

13 a. On or about December 13, 2005, in a criminal proceeding entitled *The*  
14 *People of the State of California v. Pamela Jo Bound*, in Los Angeles County Superior Court,  
15 East District, West Covina Courthouse, Case No. 5JM06088, Respondent was convicted on her  
16 plea of nolo contendere for violating Penal Code section 417.4 (draw/exhibiting a firearm), a  
17 misdemeanor.

18 b. The circumstances of the conviction are that on or about June 15, 2005,  
19 Glendora Police Department officers arrested Respondent after she had been viewed by  
20 neighbors walking the streets carrying a black rifle with a black stock and silver barrel, (66  
21 Powermaster pump BB rifle) and verbally threatened, with anger and rage, a registered L.A.  
22 County process server directed to Respondent's residence to serve a civil case summons.

23 c. On or about December 13, 2005, in a criminal proceeding entitled *The*  
24 *People of the State of California v. Pamela Jo Bound*, in Los Angeles County Superior Court,  
25 East District, West Covina Courthouse, Case No. 5JM06088, Respondent was convicted guilty  
26 on her plea of nolo contendere for violating Vehicle Code section 10852 (tamper with vehicle), a  
27 misdemeanor.

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1 d. The circumstances of the conviction are that on or about June 15, 2005,  
2 Glendora Police Department officers arrested Respondent after she was photographed screaming  
3 at a process server to leave her residence and repeatedly, i.e. three (3) times, striking the process  
4 server's vehicle's windows, shattering the rear window and damaging the plastic covering of the  
5 driver's window door frame. Respondent admitted to breaking the window with anger and rage.  
6 As Respondent waited for the police to arrive, she sent her children to a neighbor's house, threw  
7 the rifle away from her into the middle of the yard, and waited sitting on her porch stoop.

## 8 SECOND CAUSE FOR DISCIPLINE

### 9 (Unprofessional Conduct)

10 10. Respondent is subject to disciplinary action under Section 2570, 2761,  
11 subdivision (a), in that on or about June 16, 2001, Respondent committed acts of unprofessional  
12 conduct as more fully described above in paragraph 9.

## 13 DISCIPLINE CONSIDERATIONS / PRIOR DISCIPLINE

14 11. To determine the degree of discipline, Complainant alleges that on or  
15 about February 16, 1992, the effective date of the Decision *In the Matter of the Statement of*  
16 *Issues Against Pamela Jo Brown*, Case No. 91-74, Respondent's Application for Licensure by  
17 Examination was granted, revoked, revocation stayed, and the license placed on probation for  
18 three (3) years pursuant to certain terms and conditions. Respondent was found by the Board to  
19 have possessed and used heroin. That Order is now final and incorporated herein by reference as  
20 though fully stated.

## 21 PRAYER

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
23 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:


24 1. Revoking or suspending Registered Nurse License No. 455694, issued to  
25 Pamela Jo Bound a.k.a. Pamela Jo Brown.

26 2. Ordering Pamela Jo Bound to pay the Board of Registered Nursing the  
27 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
28 Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: 8/25/00



RUTH ANN TERRY, M.P.H., R.N.

Executive Officer

Board of Registered Nursing

Department of Consumer Affairs

State of California

Complainant

BEFORE THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Statement of )  
Issues Against: )

PAMELA JO BROWN )  
6686 Roca Circle )  
San Bernardino, CA 92404 )

Case No. 91-74

OAH No. L-53930

Applicant/Respondent )  
\_\_\_\_\_ )

DECISION AFTER NON-ADOPTION

This matter was heard by Paul M. Hogan, Administrative Law Judge, Office of Administrative Hearings, in Los Angeles, California, on June 10, 1991. Complainant was represented by Gary M. James, Deputy Attorney General. Pamela Jo Brown, respondent, represented herself without counsel. Respondent was fully informed of her right to counsel, and elected to proceed without the assistance of an attorney.

Evidence was received and the proposed decision of the Administrative Law Judge was submitted to the Board on June 20, 1991. After due consideration thereof, the Board declined to adopt said proposed decision and thereafter on July 29, 1991 issued an Order of Non-Adoption and subsequently on October 18, 1991 issued an Order Fixing Date for Submission of Argument. Written argument having been received and the time for filing written argument in this matter having expired, and the entire record, including the transcript of said hearing having been read and considered, the Board of Registered Nursing pursuant to Government Code Section 11517 hereby makes the following decision:

FINDINGS OF FACT

I

Catherine M. Puri, complainant, filed the Statement of Issues solely in her official capacity as Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, State of California (hereafter Board).

II

On or about November 13, 1989, respondent applied to the Board for a registered nurse's license.

III

At all times herein mentioned, heroin was and is a controlled substance within the meaning of law.

IV

On April 14, 1989, respondent possessed and used heroin. At the time, she was participating in highly stressful nurse's training, and was furnished the heroin by a fellow student which she used at the latter's suggestion. She had a life-endangering adverse reaction to the drug, and had to be hospitalized. This was the only time she ever used heroin. There is no showing that this heroin procurement and use occurred in any way in direct connection with patients under respondent's care.

V

As a consequence of the foregoing incident, respondent was arrested and charged with narcotics violations. She was diverted pursuant to Section 1000 of the Penal Code, and successfully completed the diversion program on August 23, 1989.

VI

On July 21, 1988, respondent sustained a conviction on her guilty plea of a violation of Section 23152(a) of the Vehicle Code, driving a vehicle upon a public highway while under the influence of alcohol. She has successfully completed probation on the usual terms and conditions.

VII

It has not been established that the offense described in the preceding finding was substantially related to the qualifications, duties or functions of a registered nurse.

VIII

Respondent was shocked by the two incidents described above, and thought she might be having a substance abuse problem. The heroin incident was grave. In retrospect, she used little judgment, but was under a lot of pressure incident to a very rigorous training program. The driving incident occurred the

night she graduated from nursing school and was likely the product of sudden release from long-continued stress. In any event, respondent was introduced to Alcoholics Anonymous in connection with the court probation consequent to the driving offense. She has continued in that program, and also in Narcotics Anonymous on a regular basis to the present time.

#### DETERMINATION OF ISSUES

Respondent's possession and use of heroin constituted unprofessional conduct within the meaning of Sections 2761 and 2762 of the Business and Professions Code.

#### ORDER

WHEREFORE, THE FOLLOWING ORDER is hereby made:

Respondent Pamela Jo Brown's Application for Licensure by Examination is hereby granted; provided, however, that said license is immediately revoked and that the revocation is stayed for a period of three (3) years on the following terms and conditions:

1. Respondent shall obey all federal, state and local laws, and all rules, and regulations of the Board of Registered Nursing governing the practice of nursing in California. A full and detailed account of any and all violations of law shall be reported by the respondent to the Board in writing within seventy-two (72) hours of occurrence.

2. Respondent shall fully comply with the terms and conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the respondent's compliance with the Program.

3. Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

4. Periods of residency or practice outside of California will not apply to the reduction of this probationary term. The respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state.

5. Respondent, during the period of probation, shall submit such written reports/declarations and verification of actions under penalty of perjury as are required. These declarations shall contain statements relative to respondent's compliance with

all the terms and conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

6. Respondent, during the period of probation, shall engage in the practice of professional nursing in California for a minimum of 24 hours per week (or as determined by the Board) for 6 consecutive months. Per Section 2732 of the Business and Professions Code, no person shall engage in the practice of registered nursing without holding a license which is in an active status.

7. The Board shall be informed of and approve of each agency for which the respondent provides nursing services prior to respondent's commencement of work. The respondent shall inform his/her employer of the reason for and the terms and conditions of probation and shall provide a copy of the Board's decision and order to his/her employer and immediate supervisor. The employer shall submit performance evaluations and other reports as requested by the Board. Respondent is also required to notify the Board in writing within seventy-two (72) hours after termination of any nursing employment. Any notification of termination shall contain a full explanation of the circumstances surrounding it.

8. The Board shall be informed of and approve of the level of supervision provided to the respondent while he/she is functioning as a registered nurse. The appropriate level of supervision must be approved by the Board prior to commencement of work. Respondent shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing.

9. Respondent may not work for a nurse registry; temporary nurse agency; home care agency; in-house nursing pool; as a nursing supervisor; as a faculty member in an approved school of nursing; or as an instructor in a Board-approved continuing education program. Respondent must work only on regularly assigned, identified and predetermined worksite(s) with appropriate supervision as approved by the Board.

10. Respondent at his/her expense, shall begin and successfully complete a course(s) in nursing as directed by the Board prior to engaging in the practice of nursing and prior to the end of the probationary term.

The respondent may be suspended from practicing nursing until the necessary coursework is completed. The content of such course(s) and the place and conditions of instruction shall be



specified by Board representatives at the time of the initial probation meeting based on the nature of the violation(s). Specific courses must be approved prior to enrollment. The respondent must submit written proof of enrollment and proof of successful completion. Transcripts or certificates of completion must be mailed directly to the Board by the agency or entity instructing the respondent.

Home study or correspondence courses are not acceptable and will not be approved.

11. Respondent, at his/her expense, within 45 days of the effective date of this decision, shall have a licensed physician submit, in a format acceptable to the Board, an assessment of the respondent's physical condition and capability to perform the duties of a professional registered nurse. If medically determined, a recommended treatment program will be instituted and followed by the respondent with the physician providing written reports to the Board on forms provided by the Board.

12. Respondent, at his/her expense, shall successfully complete or shall have successfully completed a treatment/rehabilitation program of at least six months duration which the Board approves. Reports shall be submitted by the program on forms provided by the Board. If respondent has not completed a treatment program prior to commencement of probation, the respondent, within a reasonable period of time as determined by the Board (but not exceeding 45 days from the effective date of the decision) shall be enrolled in a treatment program. If a treatment program is not successfully completed within the first nine months of probation, the Board will consider the respondent to be in violation of probation and will initiate further disciplinary action against the respondent's license.

In addition, respondent must attend two 12-step recovery meetings per week (e.g., Narcotics Anonymous, Alcoholic Anonymous, etc.) and a nurse support group as directed by the Board. If a nurse support group is not available, an additional 12-step meeting must be added. Respondent must submit dated and signed documentation confirming such attendance to the Board during the entire period of probation.

13. Respondent shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are lawfully prescribed by a licensed physician or dentist as part of documented medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing physician or dentist, a report

identifying the medication, dosage, the date the medication was prescribed, the respondent's prognosis, and the date the medication will no longer be required.

14. Respondent, at his/her expense, shall participate in a random, biological fluid testing or a drug screening program which the Board approves. The length of time and frequency will be subject to approval by the Board. The respondent is responsible for ensuring that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and the respondent will be considered in violation of probation.

In addition, respondent, at any time during the period of probation shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

15. The respondent shall, within 45 days of the effective date of this decision, have a mental health examination including psychological testing as appropriate to determine his/her capability to perform the duties of a registered nurse. The examination will be performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by the Board. The examining mental health practitioner will submit a written report of that assessment and recommendations to the Board. All costs are the responsibility of the respondent. Recommendations for treatment, therapy or counselling made as a result of the mental health examination will be instituted and followed by the respondent.

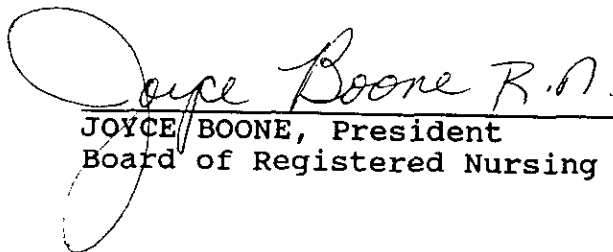
16. Respondent, at his/her expense, shall participate in an on-going counselling program until such time as the Board releases him/her from this requirement and only upon the recommendation of the counselor. Written progress reports from the counselor will be required at various intervals.

Upon full compliance with the above terms and conditions upon expiration of the stay order herein set forth, respondent's application for licensure license shall be granted, free and clear of the terms and conditions imposed.

If during the period of probation, respondent violates any of the terms of probation, the Board, after notice to respondent and an opportunity to be heard, may in its discretion set aside the stay order and direct that the order of denial become effective immediately, or make such other order as it may deem appropriate.

This decision will become effective February 16, 1992.

DATED: January 15, 1992

  
JOYCE BOONE, President  
Board of Registered Nursing

1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California

2 GARY M. JAMES

Deputy Attorney General

3 3580 Wilshire Boulevard, Room 800

Los Angeles, California 90010

4 Telephone: (213) 736-2051

5 Attorneys for Complainant

OFFICE OF ADMIN. HEARINGS	
COMPL RESP	EXHIBIT _____
AGENCY _____	
FILE NO. _____	

Ex #1

L-53930

*Paul*

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8 BEFORE THE  
9 BOARD OF REGISTERED NURSING  
10 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

11 In the Matter of the Statement of )  
12 Issues Against: )

NO. 91-74

13 PAMELA JO BROWN )  
14 6686 Roca Circle )  
San Bernardino, California 92404 )

STATEMENT OF ISSUES

15 Applicant/Respondent. )

16 Catherine M. Puri, R.N., Ph.D., as causes for denial of  
17 Pamela Jo Brown's application for a registered nurse license,  
18 alleges:

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20 1. Complainant Catherine M. Puri, R.N., Ph.D., makes  
21 and files this statement of issues in her official capacity as  
22 Executive Officer, Board of Registered Nursing, Department of  
23 Consumer Affairs.

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25 2. Under Business and Professions Code section  
26 2736(a)(3), the commission of any acts or crimes which are  
27 grounds for denial of licensure under section 480 of that code,

1 constitute grounds for denial of an application for licensure.

2 Under Business and Professions Code section 480, the  
3 Board may deny a license when it finds that the applicant has  
4 been convicted of a crime substantially related to the  
5 qualifications, functions or duties of the profession or done any  
6 act which if done by a licensee would be grounds for suspension  
7 or revocation of a license.

8 Under Business and Professions Code section 482, the  
9 Board shall develop criteria, as set forth in Title 16,  
10 California Code of Regulations, section 1445, to evaluate the  
11 rehabilitation of a person when considering the denial of a  
12 license under Business and Professions Code section 480.

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14 3. On or about November 13, 1989, the Board of  
15 Registered Nursing received Pamela Jo Brown's application for a  
16 registered nurse license. On November 13, 1989, Pamela Jo Brown  
17 certified under penalty of perjury to the truth and accuracy of  
18 the application.

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20 4. "Drugs"

21 "Heroin" is a Schedule I controlled substance as  
22 designated by Health and Safety Code section 11054(c)(11).

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24 5. Respondent's application is subject to denial under  
25 Business and Professions Code section 480(a)(3) in that she  
26 committed acts which would have subjected her license to  
27 discipline had she been licensed in the following respects:

1           a. On or about April 14, 1989, she possessed heroin, a  
2 controlled substance, in violation of Business and Professions  
3 Code section 4230. This conduct would constitute cause for  
4 discipline under Business and Professions Code section 2761(a)  
5 (unprofessional conduct) in conjunction with section 2762(a)  
6 (possession of a controlled substance).

7           b. On or about April 14, 1989, she used heroin, a  
8 controlled substance. This conduct would constitute cause for  
9 discipline under Business and Professions Code section 2761(a)  
10 (unprofessional conduct) in conjunction with section 2762(b) (use  
11 of a controlled substance in a manner dangerous or injurious to  
12 herself).

13           c. In the Spring of 1989, during her nursing training  
14 in a psychiatric setting, she was found to have alcohol on her  
15 breath. This conduct would constitute cause for discipline under  
16 Business and Professions Code section 2761(a) (unprofessional  
17 conduct).

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19           6. Respondent's application is subject to denial under  
20 Business and Professions Code section 480(a)(1) in that on July  
21 21, 1988, in the Riverside County Municipal Court, Corona  
22 Judicial District, respondent was convicted by the court on her  
23 plea of guilty to a violation of Vehicle Code section 23152(a)  
24 (driving under the influence of alcohol) in case number 68905,  
25 entitled People v. Pamela Jo Brown, a crime substantially related  
26 to the qualifications, functions or duties of a registered nurse.

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1           WHEREFORE, complainant prays a hearing be had and if  
2 the allegations set forth herein, or any of them, are found to be  
3 true, that the application of Pamela Jo Brown for licensure be  
4 denied.

5           DATED: 2/24/91

6  
7           Catherine M. Puri (940)  
8 CATHERINE M. PURI, R.N., Ph.D.  
9 Executive Officer  
10 Board of Registered Nursing  
11 Department of Consumer Affairs  
12 State of California

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25 Complainant

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Susan McCrackin